

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

BRADLEY WM. BAILEY,

Plaintiff,

vs.

TIM THRASHER, DONALD  
HOLBROOK, and DUSTIN  
DAVIS.

## Defendants.

NO. 4:16-cv-05025-JLQ

ORDER TO DISMISS COMPLAINT  
WITHOUT PREJUDICE AND  
DIRECTING COLLECTION OF THE  
FILING FEE CEASE

BEFORE THE COURT is Plaintiff Bradley Wm. Bailey's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion, ECF No. 12, is **GRANTED** and the Complaint shall be **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Motion and Affidavit to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion, ECF No. 13, is **GRANTED** and the institution having custody of Mr. Bailey shall cease collection of the filing fee in this action, cause number **4:16-cv-05025-JLQ**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, enter judgment of dismissal of the Complaint and the claims therein without prejudice, forward a copy to Plaintiff, and close the file. The District Court Executive is

ORDER TO DISMISS COMPLAINT WITHOUT PREJUDICE AND DIRECTING  
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1 further directed to send a copy of this Order to the Office of the **Department of**  
2 **Corrections, Attn: LFO/COS UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to  
3 forward to the appropriate agency having custody of Plaintiff. The District Court  
4 Executive also **shall** provide a copy of this Order to the Financial Administrator for the  
5 United States District Court, Eastern District of Washington.

6 **DATED** this 5<sup>th</sup> day of May 2016.

7 s/ Justin L. Quackenbush  
8 JUSTIN L. QUACKENBUSH  
9 SENIOR UNITED STATES DISTRICT JUDGE